



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE,
WEDNESDAY 28 MARCH 2018

The meeting commenced at 6:00 pm.

PRESENT

- Councillor Libro Mustica (Mayor)
- Councillor Ed Cox (Deputy Mayor)
- Councillor John Beitzel
- Councillor Kevin Bourke
- Councillor Wendy Buck
- Councillor Gary Cleveland
- Councillor Peter Lawless
- Councillor Peter Mansfield
- Councillor Marie Martin

IN ATTENDANCE:

Mark Henderson	Chief Executive Officer
Andrew Close	General Manager Infrastructure
Simon Rennie	General Manager Corporate
Sally Rice	General Manager Community
Linda Nieuwenhuizen	Manager Governance and Communication

1. CALLING TO ORDER – CEO

RECORDING

Consistent with section 72 of our Meeting Procedures Local Law, Council officers have been authorised to record the public session of this meeting using an audio recording device.

2. PRAYER

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

Read by the Mayor

3. ACKNOWLEDGEMENT OF COUNTRY

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

Read by the Mayor

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Nil

5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS WENDY BUCK / GARY CLEVELAND

That the minutes of the Ordinary Council Meeting held on Wednesday, 28 February 2018, with the following amendments be confirmed:

- Point 3 of item 9.2.6 to state: Lot one being retained for municipal purposes be included in community consultation.
- Item 8 to include Cr Martin's attendance at the Youth Council Leadership day.

(CARRIED)

7. COUNCILLOR REPORTS

- Cr Bourke requested an update on the Blake Street Nathalia pedestrian crossing. The General Manager of Infrastructure advised that the designs have been prepared and they're with VicRoads waiting approval.
- Cr Mansfield reported on his attendance at a dinner with Cathy McGowan MP and the Minister for Agriculture The Hon. Jaala Pulford MLC.
- Cr Lawless reported his attendance at the opening of the new childcare centre in Cobram and how great the facility will be for the community.
- Cr Cox reported on his attendance at the CFA championship held in Strathmerton.

8. OFFICER REPORTS FOR DETERMINATION

FILE NO: F13/840
1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.1

ACHIEVERS AWARD ASSISTANCE PROGRAM

Executive Summary

The purpose of this report is to advise Council of the recipients of the Achievers Award Assistance Program for the financial year 2016/2017.

MOTION

CRS MARIE MARTIN / ED COX

That Council note the Achievers Award Assistance Program successful applicants

- Macey Hicks: IWWF titles Ski Shows \$300
 - Abbey Hicks: IWWF titles Ski Shows \$300 and
 - Mikaelah Woods: The National University of Singapore Summer Science camp \$300
- for the financial year 2016/2017.

(CARRIED)

FILE NO: F13/503
4. A WELL RUN COUNCIL

ITEM NO: 9.2.1

ASSEMBLIES OF COUNCIL

Executive Summary

This report details the Assembly of Councillors for February 2018 is prepared in accordance with the requirements of the Local Government Act (the Act) 1989 section 80A.

MOTION

CRS PETER LAWLESS / GARY CLEVELAND

That Council receive and note the Records of Assembly of Councillors.

(CARRIED)

FILE NO: F18/24
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

DRAFT 2018-2022 RATING AND SERVICE CHARGES STRATEGY

Executive Summary

This report seeks Council's approval to commence community consultation on the draft 2018-2022 Rating and Service Charges Strategy to understand the community's views on the draft Strategy.

The key purpose of the Strategy is to define how the funding of council services is shared amongst categories of ratepayers and between rates and other fees and charges. Council provides a wide range of services to the community, and providing the revenue stream to meet their cost is a basic requirement of council planning and decision making. Council's ability to increase its overall rate revenue is capped by the Victorian Government's Fair Go Rates system.

The Strategy includes proposals to

- Continue to use the Capital Improved Value (CIV) as the basis for raising rates.
- Continue to use differential rating with no change to existing rate differentials.
- No change to council's existing municipal charge.
- Revise the environmental levy and kerbside waste charges.

The community is invited to provide feedback in writing and at community information and drop in sessions that will occur during May 2018. This report proposes an extended consultation period with the deadline for feedback 5pm Thursday 24 May 2018.

MOTION

CRS ED COX / KEVIN BOURKE

That Council

1. authorise release of the draft 2018-2022 Rating and Service Charges Strategy for community consultation, and
2. receive feedback until 5 pm Thursday 24 May 2018.

(CARRIED)

FILE NO: F13/260
1. A GREAT PLACE TO LIVE

ITEM NO: 9.2.3

BARMAH CARAVAN PARK LEASE

Executive Summary

This report seeks Council's approval for officers to commence formal negotiations with Aaron and Nicole Hennekam as The Trustee for the Hennekam Family Trust T/A Barmah Bridge Caravan Park with the intent of entering into a lease for the management of Barmah Caravan Park.

The report also flags the intent to enter into a temporary licence agreement with the applicant to enable the ongoing operation of the caravan park from the conclusion of the existing licence that expires 30 June 2018 through to the conclusion of the negotiations of a long term management lease.

These steps provide certainty for the local community, park users and the current licence operator while also ensuring the applicant and council have adequate time to negotiate, agree and seek ministerial approval of the Barmah Caravan Park management lease.

MOTION

CRS KEVIN BOURKE / MARIE MARTIN

That council:

1. Subject to negotiation and legislative obligations, give notice of its intention to enter into a lease of the Barmah Caravan Park with Aaron and Nicole Hennekam as The Trustee for the Hennekam Family Trust T/A Barmah Bridge Caravan Park.
2. Note the intention to enter into a temporary licence with the applicant to manage the Park from 1 July 2018 through to the conclusion of lease negotiations.

(CARRIED)

FILE NO: F13/2657
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

YARRAWONGA LIBRARY AND TOWN HALL PRECINCT COMMUNITY CONSULTATION

Executive Summary

Contemporary Libraries provide multiple spaces for a variety of activities and people. Space constraints limit the existing Yarrowonga libraries capacity to provide the spaces to meet these various needs.

In response to this Council established the Yarrowonga Library Project Steering Committee (Steering Committee). The aim of this committee is to inform the development of the Yarrowonga Library Feasibility Study, Site Masterplan and Business Case through consultation and engagement with the appointed consultants, Urban Enterprise.

The Steering Committee with the support of Urban Enterprise has identified the Yarrowonga Town Hall Precinct (the Precinct) as the most suitable site for the purposes of a new library in Yarrowonga. The Precinct includes the Yarrowonga Town Hall, Community Hall, greenspace and old Preschool building's. This presents a unique opportunity for renewal of the Precinct.

Therefore, it is timely that a comprehensive community consultation takes place. This consultation acknowledges that the:

1. Yarrowonga Town Hall Precinct has been assessed as the most suitable site in Yarrowonga for a new Library;
2. members of the community have strong connections to the Yarrowonga Town Hall; and
3. the site is larger than a libraries requirements.

MOTION

CRS PETER MANSFIELD / MARIE MARTIN

That Council:

1. endorse the Yarrowonga Library Project Steering Committee's advice that the Yarrowonga Town Hall Precinct as the most suitable site for the development of a new library in Yarrowonga; and
2. note the proposed community consultation regarding a new Yarrowonga Library at the Yarrowonga Town Hall Precinct.

(CARRIED)

FILE NO: F13/877
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.4.1

NAMING OF GILLESPIES ROAD, WUNGHNU

Executive Summary

Council has the authority and responsibility to name roads and geographic features using the principles and procedures of the Naming rules for places in Victoria - Statutory requirements for naming roads, features and localities 2016 (the naming rules).

Council processes have identified two roads with identical name approximately 250m apart to the east and west of the Goulburn Valley Hwy.

Re-naming of one road is required to remove duplication. On checking Council's mapping database and property records, the western section has a house and is part residential access and part farm access. The section to the east of the Goulburn Valley Hwy has no houses and is classified as a farm access road in its entirety, it is approximately 9km in length and extends from the Goulburn Valley Hwy, Wunghnu through Drumanure and ends at Labuan Road, Marungi.

A letter was sent to the residents who are currently the only house addressed to Gillespies Rd, Wunghnu, west of the GV Hwy and residents have no objection to the road name being changed. It is proposed to rename the western section as the section to the east has a stronger historical link with the Gillespies name.

MOTION

CRS KEVIN BOURKE / PETER LAWLESS

That Council:

1. Adopt Formby Road as the interim name for the section of Gillespies Road, Wunghnu west of the Goulburn Valley Highway.
2. Place advertisements in local papers seeking comments on the proposed names within 30 days.
3. Write to owners of properties adjoining this road seeking comments within 30 days, and
4. Adopt the interim name if no objections are received and submit them to the Office of Geographic Names.

(CARRIED)

FILE NO: 5201821
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.2

**PLANNING PERMIT APPLICATION NUMBER 5201821 - TWO LOT SUBDIVISION -
228 DILLONS LANE NATHALIA 3638**

ITEM WITHDRAWN

FILE NO: C017/18
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

C017/18 - PUSHING UP AND CRUSHING OF HILL GRAVEL

Executive Summary

Moirā Shire Council invited submissions from suitably qualified organisations or individuals for the pushing up and crushing of hill gravel from Fords Pit located on School Road, Tungamah.

After consideration of the submissions, the evaluation panel recommends that contract C017/18 – Pushing Up and Crushing of Hill Gravel be awarded to Mibus Bros (Aust) Pty Ltd as per the Schedule of Rates.

MOTION

CRS PETER LAWLESS / ED COX

That Council:

1. Award contract C017/18 – Pushing Up and Crushing of Hill Gravel to as per the Schedule of Rates to Mibus Bros (Aust) Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

(CARRIED)

FILE NO: C007/18
4. A WELL RUN COUNCIL

ITEM NO: 9.4.4

C007/18 - SUPPLY AND DELIVERY OF QUARRY PRODUCTS

Executive Summary

Moirā Shire Council invited submissions from suitably qualified organisations or individuals in order to establish a panel of pre-qualified suppliers of a broad range of Quarry Materials.

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends that contract C007/18 – Supply and Delivery of Quarry Products be awarded to all five tenderers.

MOTION

CRS PETER LAWLESS / ED COX

That Council:

1. Award the schedule of rates contract to the following tenderers under Panel Contract C007/18 – Supply and Delivery of Quarry Products:
 - A&T Goldman Pty Ltd ATF A&T Goldman Family Trust TA Andrew Goldman Excavations
 - Judd & Sons Pty Ltd
 - Katunga Earthworks Pty Ltd
 - CJ & BB Lawrence Pty Ltd TA Lawrence Brothers
 - E.B Mawson & Sons Pty Ltd
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

(CARRIED)

FILE NO: F18/2
4. A WELL RUN COUNCIL

ITEM NO: 9.4.5

BEST PRACTICE IN TOWN PLANNING GOVERNANCE AND DECISION MAKING.

Executive Summary

A review of officer delegations and consideration of supporting measures as they relate to planning has been undertaken in keeping with Council's desire to strive for best practice in its decision making timeframes. This report presents the outcomes of that undertaking.

Preparation of this report followed an earlier report: *Best Practice in Town Planning Governance and Decision Making Comparative Review* which looked at decision making models being used by Victorian councils that are achieving successful outcomes as measured by *Know Your Council* indicators. Three councils were selected for this purpose: Campaspe and Wellington shires because of their comparable status with Moira; and Knox City Council to give a wider perspective.

A number of common features emerged from investigation of these councils that can be adapted by Moira Shire to improve its decision making functions. The report concluded that without doubt the most significant of these if Moira Shire is to reach the level of governance and decision making as exercised by these councils is to provide much more authority to officers of the Council to determine planning applications.

MOTION

CRS ED COX / MARIE MARTIN

That:

1. Council's delegation to staff that relates to the Planning and Environment Act be amended to provide for the following:
 - 1.1 The power to determine a permit application or S.173 Agreement where 5 or more objections received - the decision stays with Council;
 - 1.2 The power to refuse or amend a permit or refuse, amend or end a S.173 Agreement - the decision is delegated to nominated officers;
 - 1.3 If a relevant determining referral authority objects to grant of permit - the decision is delegated to nominated officers.
2. The appropriate Instrument of Delegation, amended to reflect these changes, be adopted.
3. A call-in mechanism be adopted whereby a planning application must be referred to a briefing session if three councillor requests it and from there the planning application must be referred to a council meeting if three councillors support this move.
4. Routine non- compulsory conciliation meetings be introduced for all planning applications that receive objections, with all councillors invited to attend as observers only.

(CARRIED)

**FILE NO: F17/235
4. A WELL RUN COUNCIL****ITEM NO: 10.1****ACTION OFFICERS' LIST****MOTION**

CRS PETER MANSFIELD / KEVIN BOURKE

That Council receive and note the Action Officers' List.

(CARRIED)

11 NOTICES OF MOTION

NIL

12 PETITIONS AND JOINT LETTERS

NIL

13 COUNCIL SEAL

NIL

FILE NO: VARIOUS

ITEM NO: 14

URGENT GENERAL BUSINESS

Nil

FILE NO: VARIOUS

ITEM NO: 15

QUESTIONS FROM THE PUBLIC GALLERY

Questions were raised in relation to speed limit reductions in Strathmerton.

Meeting Close: 6:51PM